



---

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

July 7, 2006

BRINKLEY,MENENEY,MORGAN,SOLOMON & TATUM LLP  
200 EAST LAS OLAS BOULEVARD  
FORT LAUDERDALE, FL 22313  
US

Dear Sir/Madam,

Your refund request for 10071938 in the amount of \$200.00 has been denied .

Claims withdrawn cannot be refunded.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent Stuart", is written over the word "Sincerely,".

VINCENT STUART  
Technical Center Others  
703 308-9210 x119

04/19/2006 14:28 FAX 954 522 9123

BRINKLEY MCNERNEY

0004

**BRINKLEY, MCNERNEY, MORGAN, SOLOMON & TATUM, LLP**

ATTORNEYS AT LAW  
10TH FLOOR  
SUN SENTINEL BUILDING  
200 EAST LAS OLAS BOULEVARD  
FORT LAUDERDALE, FLORIDA 33301-2209

TELEPHONE (954) 522-8200  
FACSIMILE (954) 522-9123  
e-mail: [bm@brinkley-mcnerney.com](mailto:bm@brinkley-mcnerney.com)

MAILING ADDRESS:  
POST OFFICE BOX 522  
FORT LAUDERDALE, FLORIDA 33302-0522

JOHN R. TATUM  
(1929-1993)

SCOTT P. CHATOFF  
DANIEL C. CRILLY\*\*  
JAMES L. DAVIDSON  
JOHN H. LAMBERS  
PATRICIA E. MCQUEENY\*\*  
QUENTIN E. MORGAN  
ALAN L. RAHES

W. MICHAEL BRINKLEY  
WILLIAM T. COLEMAN  
KEVIN P. CROSS\*\*  
KENDRICK A. GORDON  
KENDRICK J. JOYCE  
KENDRICK E. KESCHL  
JOFFREY B. KURTZ  
MARK A. LEVY  
JULIETTE E. LIPPMAN  
DONALD J. LUNNY, JR. +  
MICHAEL J. MCNERNEY +  
PHILIP J. MORGAN +  
DANIEL P. O'CONNOR  
MARRUS K. SOLOMON +  
ROBERTA G. STANLEY ++  
JONATHAN M. STRIDEMELD  
THOMAS R. TATUM

- + BOARD CERTIFIED BUSINESS LITIGATION LAWYER
- + BOARD CERTIFIED REAL ESTATE LAWYER
- ++ BOARD CERTIFIED MARITAL AND FAMILY LAWYER
- ++ REGISTERED PATENT ATTORNEY
- + BOARD CERTIFIED CITY, COUNTY & LOCAL GOVERNMENT LAWYER
- + BOARD CERTIFIED TAX LAWYER

April 19, 2006

Via Facsimile

Director of the USPTO  
Mail Stop 18  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Refunds Branch

Re: **ROBERT J. MULLIGAN**  
Patent Application Entitled: Device Housing Responsive to an Environmental Stimulus  
Serial No. 10/071,938  
Account No. 50-1111

To Whom It May Concern:

We are requesting a refund in connection with the above-referenced patent application. The charges were charged in error from the U.S. Patent and Trademark Office ("PTO"). According to the Request for Continued Examination (RCE) submitted on January 26, 2006, Applicant cancelled claims 1-16 and amended claims 26, 28, 29, 31-34, 40-48. Claims 17-25 and 35-39 were withdrawn responsive to a prior restriction requirement. Twenty claims remain pending in the above-referenced application, five of which are independent. Applicant had previously paid for examination of twenty claims, five of which were independent. Therefore, Applicant has not added any extra claims by virtue of the RCE submitted January 26, 2006. As a result, no additional claims fee is believed due for examination of the pending claims.

In view of the above, kindly refund the charge of 200.00 which was posted on the monthly statement of Deposit Account dated December 30, 2005, (a copy of which is enclosed for your reference) into our Deposit Account No. 50-1111. If the PTO believes its charges are authorized by regulation and that Applicant's position is in error, please provide the PTO's reasons in writing explaining the basis for charging the additional fees.

If you have any questions, please feel free to call me.

Very truly yours,

*Daniel C. Crilly*  
Daniel C. Crilly

DCC:xm  
Enclosures

04WFFILES\CLIENTS\MOTOROLA\PROSECUTION\CM01562103556-PAT USA-CM01562103556-REFUND-PTO.DOC

BEST AVAILABLE COPY

04/19/2006 14:25 FAX 954 522 9123

BRINKLEY MCNERNEY

004

**BRINKLEY, MCNERNEY, MORGAN, SOLOMON & TATUM, LLP**

ATTORNEYS AT LAW  
19TH FLOOR  
SUN SENTINEL BUILDING  
200 EAST LAS OLAS BOULEVARD  
FORT LAUDERDALE, FLORIDA 33301-2209

TELEPHONE (954) 522-3200  
FACSIMILE (954) 522-9123  
e-mail: [lawfirm@brinkleymcnerney.com](mailto:lawfirm@brinkleymcnerney.com)

MAILING ADDRESS:  
POST OFFICE Box 522  
FORT LAUDERDALE, FLORIDA 33302-0522

JOHN R. TATUM  
(1926-1995)

SCOTT P. CHITOFF  
DANIEL C. CRILLY\*\*  
JAMES L. DAVIDSON  
JOHN H. LAMBRON  
PATRICIA E. MCCOZZEN\*\*  
QUENTIN C. MORGAN  
ALAN L. RAINES

W. MICHAEL BRINKLEY  
WILLIAM T. COLEMAN  
KEVIN P. CROSS\*\*  
KENNETH A. GORDON  
KENNETH J. JOYCE  
KENNETH E. KUECHL  
JEFFREY S. KURTZ  
MARK A. LEVY  
JULIETTE E. LIPPMAN  
DONALD J. LUNNY, JR. \*  
MICHAEL J. MCNERNEY \*  
PHILIP J. MORGAN \*  
DANIEL P.J. O'CONNOR  
HARRIS K. SOLOMON \*  
ROBERTA G. STANLEY \*\*  
JONATHAN M. STROSEFELD  
THOMAS R. TATUM

- \* BOARD CERTIFIED BUSINESS LITIGATION LAWYER
- \* BOARD CERTIFIED REAL ESTATE LAWYER
- \*\* BOARD CERTIFIED MARITAL AND FAMILY LAWYER
- \*\* REGISTERED PATENT ATTORNEY
- \* BOARD CERTIFIED CITY, COUNTY & LOCAL GOVERNMENT LAWYER
- \* BOARD CERTIFIED TAX LAWYER

April 19, 2006

Via Facsimile

Director of the USPTO  
Mail Stop 19  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Refunds Branch

Re: ROBERT J. MULLIGAN  
Patent Application Entitled: Device Housing Responsive to an Environmental Stimulus  
Serial No. 10/071,938  
Account No. 50-1111

To Whom It May Concern:

We are requesting a refund in connection with the above-referenced patent application. The charges were charged in error from the U.S. Patent and Trademark Office ("PTO"). According to the Request for Continued Examination (RCE) submitted on January 26, 2006, Applicant cancelled claims 1-16 and amended claims 26, 28, 29, 31-34, 40-48. Claims 17-25 and 35-39 were withdrawn responsive to a prior restriction requirement. Twenty claims remain pending in the above-referenced application, five of which were independent. Applicant had previously paid for examination of twenty claims, five of which were independent. Therefore, Applicant has not added any extra claims by virtue of the RCE submitted January 26, 2006. As a result, no additional claims fee is believed due for examination of the pending claims.

In view of the above, kindly refund the charge of 200.00 which was posted on the monthly statement of Deposit Account dated December 30, 2005, (a copy of which is enclosed for your reference) into our Deposit Account No. 50-1111. If the PTO believes its charges are authorized by regulation and that Applicant's position is in error, please provide the PTO's reasons in writing explaining the basis for charging the additional fees.

If you have any questions, please feel free to call me.

Very truly yours,

*Daniel C. Crilly*  
Daniel C. Crilly

DCC:cm  
Enclosures

G:\WPFILES\CLIENTS\MOTOROLA\_PROSECUTION\CM015621\0355-PAT USA-CM015621\REFUND-PTO.DOC

BEST AVAILABLE COPY



United States  
Patent and  
Trademark Office



Deposit Account Statement

Requested Statement Month: February 2006  
Deposit Account Number: 601111  
Name: BRINKLEY MCNERNEY MORGAN SOLOMON & TATUM  
Attention: KEVIN CROSBY  
Address: 200 EAST LAS OLAS BLVD  
City: FT LAUDERDALE  
State: FL  
Zip: 33301  
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
*02/03	2	10071938				
02/03	3	10071938	CM01562L	1201	\$400.00	\$1,512.00
02/03	335	2588494	CM01562L	1202	\$450.00	\$1,062.00
02/03	336	2837623		8521	\$40.00	\$1,022.00
02/03	337	2817129		8522	\$25.00	\$997.00
02/03	338	2837624		8522	\$25.00	\$972.00
02/08	5	E-REPLENISHMENT		8522	\$25.00	\$947.00
02/08	36	10414077		9203	-\$2,000.00	\$2,947.00
02/08	37	10414077	7219-03127	2801	\$395.00	\$2,552.00
02/09	45	10234263	7219-03127	2261	\$80.00	\$2,492.00
02/15	66	11034433	CS21420RLMANGALIK	1808	\$180.00	\$2,312.00
02/18	130	78453481	7170-04040	2252	\$225.00	\$2,087.00
02/17	165	11354762	013300-05644	7004	\$150.00	\$1,937.00
02/17	168	11354762	7170-04040	2011	\$150.00	\$1,787.00
02/17	167	11354762	7170-04040	2111	\$250.00	\$1,537.00
02/17	1295	78365995	7170-04040	2311	\$100.00	\$1,437.00
02/21	73	10877469	013311-05666	7003	\$100.00	\$1,337.00
02/21	74	10877469	7513-04418	2252	\$225.00	\$1,112.00
02/22	1246	78477584	7513-04418	2401	\$250.00	\$862.00
02/24	66	E-REPLENISHMENT	013301-05603	7003	\$100.00	\$762.00
02/27	96	10733681		9203	-\$1,500.00	\$2,262.00
02/27	668	78553552	CS24047US	1251	\$120.00	\$2,142.00
02/27	1819	78598741	013244/5088	7001	\$325.00	\$1,817.00
02/27	1898	78506855	11781-04804	7004	\$150.00	\$1,667.00
			7219-03199	7004	\$150.00	\$1,517.00

START  
BALANCE

SUM OF  
CHARGES

SUM OF  
REPLENISH  
END  
BALANCE

BEST AVAILABLE COPY